

**FLORENCE TOWNSHIP
ZONING BOARD OF ADJUSTMENT**

RESOLUTION NO. Z.B.-2021-07

Application ZB#2021-01

**RESOLUTION OF MEMORIALIZATION
APPLICATION OF
HARPREET BHATIA
BLOCK 109, LOTS 6.01, 6.02, 10, 11 & 12
RA- LOW DENSITY RESIDENTIAL ZONING DISTRICT
USE VARIANCE
DISMISSAL WITHOUT PREJUDICE**

**Decided: May 3, 2021
Resolution Memorialized: June 3, 2021**

WHEREAS, Harpreet Bhatia, made application to the Florence Township Zoning Board of Adjustment seeking use variance approval to allow a liquor store in the existing vacant building located at 2097 Route 130 and known on the Official Tax Maps of the Township of Florence as Lots 6.01, 6.02, 10, 11 and 12 of Block 109;

WHEREAS, the applicant is the contract purchaser of the subject property, and therefore has standing to bring this matter before the Board;

WHEREAS, the application was first submitted to the Board on January 4, 2021, and at the Board's March 1, 2021 regular meeting, upon a finding that the applicant had provided proper mailed and published notices of hearing and that jurisdiction was proper in the Board, the Board opened a public hearing on the application;

WHEREAS, the applicant is represented by Lewis Wilson, Esquire;

WHEREAS, the Board's Engineer, Hugh J. Dougherty, P.E., C.M.E. of Pennoni Associates, Inc., Consulting Engineers, published to the Board and applicant a review letter dated January 27, 2021, which detailed the ordinance checklist submission items that had not been submitted and further commented upon the application which is hereby incorporated into the record;

WHEREAS, the Board's Planner, Barbara Fegley, AICP, PP, of Environmental Resolutions, Inc., Engineers, Planners, Surveyors, Scientists, submitted a review letter commenting upon the application dated January 28, 2021 which is hereby incorporated into the record;

WHEREAS, in the course of the March 1, 2021 hearing, the applicant presented the testimony of Robert Beuchat, licensed architect, and Louis Balogun, the Board reviewed the letters of its professionals, and several neighbors of the subject property offered their comments during the public portion;

WHEREAS, a significant item of relief requested by the applicant was the proximity limitation for liquor stores under the Township's general police powers ordinances (from which the Zoning Board of Adjustment may not grant variances), not the land development ordinances (from which the Board may grant variances), so at the conclusion of the public portion of the March 1, 2021 hearing, the applicant requested an adjournment to allow time to address this issue with the Township Council;

WHEREAS, by way of correspondence dated April 21, 2021 from the applicant's counsel, the application was withdrawn;

WHEREAS, in light of the applicant's request, the Board determined, upon advice of its counsel, that dismissal without prejudice to bringing the same or a similar application to the Board in the future, would be an appropriate course of action;

NOW, THEREFORE, BE IT RESOLVED by the Florence Township Planning Board in the County of Burlington and State of New Jersey that the application of Harpreet Bhatia, made application to the Florence Township Zoning Board of Adjustment seeking use variance approval to allow a liquor store in the existing vacant building located at 2097 Route 130 and known on the Official Tax Maps of the Township of Florence as Lots 6.01, 6.02, 10, 11 and 12 of Block 109, be and hereby is, **DISMISSED WITHOUT PREJUDICE**, subject to the following conditions:

1. All taxes and escrow fees for professional review must be paid current and in full.
2. Publication of a brief notice of this decision in the official newspaper of the municipality within 10 days of the date hereof.

The conditions of this resolution shall run with the land and be binding on all successors in interest, purchasers and assignees.

MOTION TO DISMISS WITHOUT PREJUDICE:

Moved by:	Mr. Cartier
Seconded by :	Mr. Lutz
In Favor :	Mr. Cartier, Mr. Lutz, Mr. Buddenbaum, Ms. Mattis, Mr. Sovak, Mr. Haas, Chairman Patel
Opposed :	None
Abstained :	Mr. Puccio
Recused :	None
Absent :	None

MOTION TO ADOPT RESOLUTION:

Moved by :	Mr. Lutz
Seconded by :	Chair Patel
In Favor :	Mr. Lutz, Chair Patel, Mr. Buddenbaum, Mr. Cartier, Ms. Mattis, Mr. Haas, Mr. Sovak
Opposed :	None
Abstained :	Mr. Puccio
Absent :	None

FLORENCE TOWNSHIP PLANNING BOARD

Dated: June 3, 2021

Anant Patel
Anant Patel, Chairman

CERTIFICATION

BE IT REMEMBERED that the within written Resolution was duly adopted at a regular meeting of the Florence Township Zoning Board of Adjustment held on June 3, 2021 and memorializes a decision taken by the Board on May 3, 2021.

DAVID C. FRANK
ATTORNEY AT LAW

6/10/21
Please note: Due to the coronavirus pandemic, meetings are being held in-person as well as virtually. Signatures may be electronic. The minutes reflect the actions taken by the Board for the memorialization of this resolution.